

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:17-cv-00128-MR-WCM**

HOWARD J. FOSTER,)
)
Plaintiff,)
)
vs.)
)
CARROLS CORPORATION dba)
BURGER KING, et al.,)
)
Defendants.)
_____)

ORDER OF DISMISSAL

THIS MATTER is before the Court *sua sponte*.

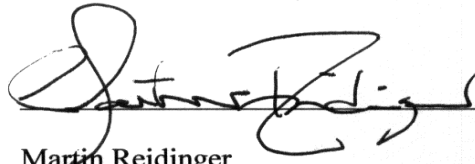
On February 4, 2019, the Court entered an Order directing the Plaintiff to show cause in writing on or before February 28, 2019 why this action should not be dismissed with prejudice for his failure to engage in arbitration. The Plaintiff was specifically warned that failure to show cause in writing within the time required would result in the dismissal of this action. [Doc. 28].

To date, the Plaintiff has failed to respond to the Court's Order as required. Accordingly, the Court will dismiss this action.

IT IS, THEREFORE, ORDERED that this civil action is **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED.

Signed: March 4, 2019


Martin Reidinger
United States District Judge

